

REMARKS/ARGUMENTS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 10 and 12 have been rejected under 35 U.S.C. § 103 as being unpatentable over Honkura et al. in view of Gillings and Suzuki.

Considering then the rejection of Claims 10 and 12 under 35 U.S.C. § 103 as being unpatentable over Honkura et al. in view of Gillings and Suzuki, it is noted that Claim 10 has now been amended so as to specify the process for producing a magnetic structure as including ablating side parts of the cup yoke so as to obtain a ratio of a major axis diameter and a minor axis diameter of the cup yoke as being from 1.02 to 2.0 and that the keeper has the same ratio. Thus Claim 10 has now been amended to correspond to the limitations already set forth in Claim 12. By comparison, it is to be noted that the Examiner has acknowledged at page 3, lines 18-22 that neither Honkura et al. nor Gillings, each of which are directed to dental retention for dental magnetic attachment, disclose the steps of ablating side parts of a circular structure. In addition, in such references, both the magnet structure and keeper have the same shape, meaning being a double circle shape as shown in Figure 6 in Gillings or as having the substantially circular shape suggested in Honkura et al..

While the Examiner cited Suzuki as teaching the process of ablating side parts of a circular structure, such does not teach ablating the side parts of a cup yoke within which magnetic material is positioned as presently claimed and does not teach obtaining a ratio of a major axis diameter to a minor axis diameter of both a cup yoke and a keeper so as to have the claimed ratio of from 1.02 to 2.0. To the contrary, the flat portions 11, 11 and the mounting portion 10 having circular-arc portions 13 are positioned against a circular base portion 9 and thus has a ratio of major axis diameter and minor axis diameter which differs from that of the present invention does not teach a keeper having similar dimensions.

Applicants further note that Suzuki is clearly a non-analogous reference and is not obviously combinable with either Honkura et al. or Gillings insofar as Suzuki is directed to a plug-jack connecting structure for electronic equipment such as a car phone, TV, etc. which is put into an operative state when a plug of the electronic equipment is inserted into a jack mounted on the front panel of a car. More particularly, the connection taught in Suzuki is usually made by elastic connection between terminals disposed along a plug receiving hole of the jack in the periphery of the plug. It can thus be appreciated, Suzuki does not meet the test of an analogous reference as explained in M.P.E.P. § 2141.01(a) which requires the reference must either be in the field of Applicants' endeavor or, if not, be reasonably pertinent to a particular problem with which the invention was concerned. Insofar as there is no recognition of the problem overcome in the prior art in Suzuki or Honkura et al. or Gillings and insofar as Suzuki is not analogous to the present invention or to the inventions set forth in Honkura et al. or Gillings, it is submitted that Suzuki is not reasonably pertinent to the particular problem with which the inventor was concerned and there was no adequate showing that a person of ordinary skill in the art seeking to solve the problem as set forth in the present application would be reasonably expected or motivated to look to a plug-jack connecting structure to solve the problem in the present invention. In this regard, the Examiner's attention is called to *In re Oetiker*, 977 F.2d 1443, 1446 (Feb. Cir. 1992) and *In re Clay*, 966 F.2d 656, 659 (Fed. Cir. 1992).

In view of the foregoing, it is submitted that none of the prior art teaches or discloses cup yoke and keeper having the same ratios of major axis diameter to minor axis diameter. In addition, insofar as Suzuki is not an analogous reference with respect to the present invention or the dental retention structure of Gillings or the dental magnetic attachment of Honkura et al., it is submitted that Claims 10 and 12 merit indication of allowability with the same being hereby earnestly solicited. In addition, insofar as the limitations added to Claim 10

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correspond to limitations already appearing in Claim 12, it is submitted that entry of this amendment after final rejection is merited.

In view of the foregoing, an early and favorable Office Action is believed to be in order and the same is hereby respectfully requested.

Respectfully submitted,

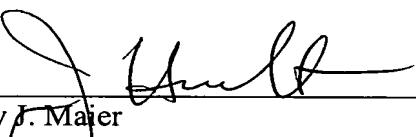
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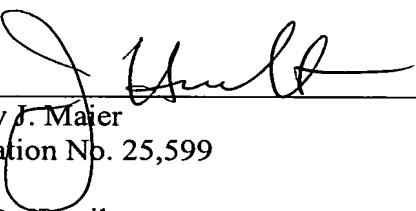
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